

# EXHIBIT 4



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TEXAS | FLORIDA

November 29, 2018

Mr. Benjamin W. Hulse  
Blackwell Burke, PA.  
431 South Seventh Street, Suite 2500  
Minneapolis, MN 55415

*Via Email: bhulse@blackwellburke.com*

Re: *In Re Bair Hugger Forced Air Warming Products Liability Litigation;*  
MDL No. 15-2666-JNE-DTS  
*Partlow v 3M Company* – Court File No. 16-cv-02144

Dear Mr. Hulse:

I am responding to your email of yesterday foreshowing a response, your letter of yesterday and letter of today. Today you stated you “are happy to produce” communications with people associated with Mr. Partlow’s medical providers “if Plaintiffs confirm they will also promptly produce any documents provided to or received from any third parties in this case.” That is not how discovery works. There is a specific request for this information so produce it. If you believe we have information that is response to a discovery request, then ask.

Likewise, your position on supplementing discovery on general causation misses the point by again deflecting to Plaintiffs and broad overgeneralizations and hyperbole. Plaintiffs have not asked for a “broad reopening of discovery” but rather a continuing effort at producing relevant information as it comes into existence. Have any efforts been made to review relevant documents to determine if they are material? Is it 3M’s position that documents and communications relating to a study funded by 3M with the specific aim to “investigate whether the risk of post-operative orthopedic implant infection is influenced by the choice of intraoperative warming technology” is not material to an MDL in which the allegations are the interoperative warming technology caused post-operative orthopedic implant infections?” If that is 3M’s position, we will consider this our meet and confirm efforts and file our motions accordingly.

Finally, if you believe we have information or discovery responses that need to be supplemented, then bring that to our attention as we have done with 3M. Just saying Plaintiffs have not served any supplemental responses does not relieve you of your duty. Stay focused on this issue.

Sincerely,

A handwritten signature in black ink, appearing to be "KWF", written over a horizontal line.

Kyle W. Farrar

KWF/dg